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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re Ex Parte Application of

Min-ji Kim, Phạm Ngọc Hân, Ji-hye Mo, Hae-rin Kang, Hye-in Lee,

Applicants.

CASE NO. 3:24-mc-80072

**DECLARATION OF DONGHOON
SHIN IN SUPPORT OF
APPLICANTS' *EX PARTE*
APPLICATION FOR ORDER
PURSUANT TO 28. U.S.C. § 1782
AUTHORIZING DISCOVERY FOR
USE IN FOREIGN PROCEEDINGS**

I, Donghoon Shin, declare that:

1. I am more than 18 years of age, am competent to testify on the matters stated in this declaration, and, except as may be otherwise stated in this declaration, have personal knowledge of the matters stated in this declaration.

2. I am the Vice President of ADOR Co., Ltd. (hereinafter “**ADOR**”), a corporation established in November 2021 as an independent label under its parent company HYBE Co., Ltd. under the laws of the Republic of Korea. The principal place of business of ADOR is located in Seoul, Republic of Korea. ADOR is engaged in the entertainment business and manages and trains K-pop singers and talents.

1 3. Min-ji Kim, Phạm Ngọc Hân, Ji-hye Mo, Hae-rin Kang, and Hye-in Lee
 2 (hereinafter “**Applicants**”) are members of a Korean female group called NewJeans formed by
 3 ADOR in 2022. As NewJeans’ record label and entertainment agency, ADOR is authorized to take
 4 steps to protect the reputation of its artists, including the Applicants.

5 4. This declaration is in support of the Applicants’ *Ex Parte Application for an*
Order Pursuant to 28 U.S.C. § 1782 Authorizing Discovery for Use in Foreign Proceedings.

6 5. An anonymous individual (hereinafter “**Anonymous Individual**”), using the
 7 YouTube channel named *7th Grade in Middle School* (“중학교 7학년” in the original Korean
 8 language) (hereinafter “**YouTube Channel**”) located at <https://www.youtube.com/@Middle7>,
 9 published multiple YouTube videos in which the Anonymous Individual made various false and
 10 defamatory statements about the Applicants. In particular, the Anonymous Individual uploaded as
 11 many as 33 defamatory videos regarding the Applicants (hereinafter “**YouTube Videos**”);
 12 attached as **Exhibit 1** is a true and correct screenshot of the YouTube Channel as of March 12,
 13 2024.

14 6. Among the YouTube Videos, three examples of defamatory videos that the
 15 Anonymous Individual has published on the YouTube Channel concerning the Applicants are
 16 located at:

- 17 (a) <https://www.youtube.com/watch?v=jxy9s9tnmw> (hereinafter “**Video 1**”);
- 18 (b) <https://www.youtube.com/watch?v=XGoZhBK9NDY> (hereinafter “**Video**
 2”);
- 19 (c) <https://www.youtube.com/watch?v=vOr-B9NXoNA> (hereinafter “**Video**
 3”)

20 7. Video 1, Video 2, and Video 3 state false and defamatory statements about the
 21 Applicants.

- 22 (a) Video 1 is titled *Reasons Why NewJeans Is A Crap Group* (“뉴진스가
 허접 그룹인 이유” in the original Korean language). A caption saying
 “Nguyen” (“옹우옌” in the original Korean language), the most common
 surname in Vietnam, is shown above a photo of NewJeans members and
 notes that its member Min-ji Kim is a Filipino.

(b) Video 2 is titled *Collection of Shocking Past Photos of Popular Female Idols* (“인기 여자아이돌 충격의 과거사진 모음” in the original Korean language). It refers to Min-ji Kim as the “eldest daughter of a Vietnamese farmer” (“베트남 농부 첫째 딸” in the original Korean language).

(c) Video 3 is titled *NewJeans Min-ji Who Ends Up Writing a Letter of Apology Because of Kalguksu Incident* (“칼국수로 결국 반성문까지 쓴 뉴진스 민지” in the original Korean language). It notes, “Apparently Heejin Min reviewed her written apology 100 times and she went back to her place and had Malatang and 5 bottles of Soju with Haerin!” (“민희진한테 반성문 검토 100번 받고 숙소 가서 해린이랑 마라탕에 소주 5병 깠다네요. 다음날 해장은 칼국수로 했다고 전해집니다!” in the original Korean language).

8. The YouTube Videos have been viewed more than 13,800,000 times as of March 13, 2024. The YouTube Videos have inflicted and continue to inflict significant reputational damage on the Applicants.

9. On March 19, 2024, the Applicants filed a criminal complaint against the Anonymous Individual with the Seoul Yongsan Police Station in Seoul, Republic of Korea (hereinafter “**Criminal Matter**”) for publishing the YouTube Videos. The Applicants are claiming defamation and the crime of insult under the laws of the Republic of Korea.

10. The Applicants, however, have been unable to identify the true identity of the Anonymous Individual, preventing the Application from proceeding with the Criminal Matter.

11. Unless the true identity of the Anonymous Individual is revealed, the Applicants will not be able to pursue the Criminal Matter.

12. The identity of the Anonymous Individual will only be used for the purpose of the Criminal Matter.

Pursuant to 28 U.S.C. § 1746(1), I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

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Executed on March 27, 2024

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Donghoon Shin

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Exhibit 1

YouTube KR

Search

Sign in

Home

Shorts

Subscriptions

History

Home **Shorts** **Community**

Minji Kang · 12.7K subscribers · 172 videos

아이돌 순위 1.안유진 2.장원영 3.유나 4.그 외 나머지 >

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민지 칼국수 포함 여자아이들별 어울리는 음식 논란

144,499 views · 2 months ago

#민지 #장원영 #shorts #안유진 #김채원 #사쿠라 #제니 #로제
#해린 #전소연 #아이브 #뉴진스 #트세라핌 #블랙핑크 #칼국수
#마리팅 #과일 #민지칼국수

Shorts

바로 부모님 없이 자랐기 때문이에여ㅠㅠ

음..미노이가 아니라 하노이 같은데ㅋㅋ

1.에스파-카리나 이재욱과 열애로 사과문

1.제니 사과티비 데뷔

칼국수그룹 박살내는 아이브 외모 수준

한소희가 행사장 짜증 태도 논란의 진실

미노이 광고 노쇼 논란이 어이 없는 이유

에스파 카리나 사과문 기념 사과문 작성한 여자아이들 모음

블랙핑크 해체 후 멤버별 충격 근황 논란(제니,로제,리사,지...)

뉴진스 박살내는 아이브 외모 수준 논란